THE HON'BLE SMT. JUSTICE T. MEENA KUMARI
and
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No. 16024 of 2007

O R D E R: (Per the Hon'ble Smt. Justice T. Meena Kumari)

This writ petition is filed challenging the order dated 2.4.2007 passed by the A.P. Administrative Tribunal in O.A. No. 2378 of 2003.

Heard the learned counsel for the parties and perused the material available on record.

It is submitted by the learned counsel that the matter involved in this writ petition is covered by the order dated 26.7.2007 passed by this Court in W.P. No. 15665 of 2007, wherein this Court passed the following order:

> "There is no dispute as to the non-compliance of the provisions of Rule 42 of APCS (CC&A) Rules with regard to the notice and as to the non-affording of any opportunity to the applicant to cross-examine PWs 1 to 5. In this background of the matter, we feel it a fit case wherein the matter can be remanded to the Enquiry Officer, so as to enable him to complete the enquiry after complying with the provisions as contemplated under the CCA Rules in question. Therefore, the tribunal is not justified in passing the order impugned.
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> Accordingly, the writ petition is disposed of setting aside the order impugned herein as well as the orders impugned therein and consequently, the matter is remanded to the

Enquiry Officer so as to complete the enquiry after complying with the provisions as contemplated under the CCA Rules in question. Further, it is made clear that notice shall be served on the applicant in accordance with Rule 42 of APCS (CC&A) Rules and likewise, the applicant shall be afforded an opportunity enabling him to cross-examine PWs 1 to 5.

However, it is needless to observe that the Enquiry Officer may proceed with the enquiry from the stage of issuing notice in consonance with the Rule 42 of the Rules and the entire enquiry proceedings shall be completed within a period of six months from the date of receipt of a copy of order, in accordance with law".

As the matter involved in this writ petition is similar to that of W.P. 15665 of 2007, which was disposed of on 26.7.2007, this writ petition is also disposed of in terms of the order dated 26.7.2007 in W.P. No. 15665 of 2007 as extracted above.

T. MEENA KUMARI, J.

G. CHANDRAIAH, J.

Date: 27-07-2007.

MVB.